

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA
IN THE DISTRICT REGISTRY OF SHINYANGA
AT SHINYANGA**

MISCELLANEOUS LAND APPLICATIO NO. 26 OF 2021

(Arising from Shinyanga District Land and Housing Tribunal in Land Application No. 5 of 2020)

DISMAS MASHEMA.....APPLICANT

Versus

NGAI SIYAKO NDESARIKA.....1ST RESPONDENT

WILFRED EVARIST MBASSA.....2ND RESPONDENT

Date of Last Order: 03/08/2021

Date of Ruling: 03/08/2021

RULING

S. M. KULITA, J

This is an application for extension of time to file an appeal at High Court out of time. The matter had been fixed to proceed today 03/08/2021. The Respondents were summoned to appear but only Advocate for the 1st Respondent, Mr. Audax Constantine turned up. The 2nd Respondent (Wilfred Evarist Mbassa) never turned up in spite of being served with the summons to appear whose copy has been supplied to this court and the same shows to have been endorsed by him on 15/07/2021.

That being the case, the matter proceeds in his absence. The fact that the 1st Respondent's counsel concedes with the application, it means the same is uncontented, hence granted. The applicant is ordered to lodge his appeal before this court in 30 (thirty) days period from today. No order as to costs.



HL

S. M. Kulita
JUDGE
03/08/2021